

AO 91 (Rev. 08/09) Criminal Complaint

United States District Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

AUG 25 2015

Clerk of Court

United States of America)

1. Hector Jason Zepeda
YOB: 1984 Citizenship: United States
2. Aresnio Bernard Pleasant
YOB: 1989 Citizenship: United States

Case No. M-15-1450-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 22, 2015 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

8 U.S.C. § 1324(a)(1)(A)(iii)

Alien Smuggling

Knowing and in reckless disregard of the fact that Jose Anibal Xon-Tecun, Domingo David IXMATA-Tziquin and four (4) others, for a total of six (6), who were aliens, who had come to, entered and remained in the United States in violation of law, conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, such aliens in any place, including any building or any means of transportation; to wit: transportation by vehicle in La Joya, Texas.

This criminal complaint is based on these facts:

SEE ATTACHMENT "A"

✓ Continued on the attached sheet.

OK to file. TR

Complainant's signature

David Reese, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 8/25/2015

Judge's signature

City and state: McAllen, Texas

U.S. Magistrate Judge Dorina Ramos

Printed name and title

“ATTACHMENT A”

I am a Special Agent of the United States Homeland Security Investigations (HSI), and have knowledge of the following facts:

1. On August 22, 2015, Texas Department of Public Safety (DPS) Trooper Joaquin Garza observed a traffic violation and conducted a video recorded traffic stop on a gray 2006 Ford Crown Victoria bearing Texas temporary registration 82R4729.
2. The driver was identified as Arsenio Pleasant and the passenger as Hector Zepeda.
3. During the traffic stop, Trooper Garza discovered four (4) additional people laying down in the rear seats and two (2) in the trunk of the vehicle.
4. Trooper Garza notified Border Patrol, who responded to the scene and confirmed the six (6) individuals were aliens who did not possess documentation to enter, remain in or pass through the United States. .
5. Pleasant, Zepeda and the six (6) undocumented aliens (UDA's) were transported to the Border Patrol station in McAllen, Texas for processing.
6. Zepeda was provided his Miranda warnings by Border Patrol Agent Juan Quintanilla, which he waived and agreed to provide a statement.
7. Post-Miranda, Zepeda stated he works for a male known only as “El Oso” or “El Viejon” and was going to be paid two hundred dollars (\$200.00) per person to deliver the UDA's to an undetermined location.
8. Zepeda claimed he was going to pay Pleasant one hundred dollars (\$100.00) per person for the transportation.
9. Zepeda stated he was aware of the UDA's immigration status.
10. Zepeda granted Border Patrol agents permission to search his phone.
11. During the search, Border Patrol agents discovered text messages between Zepeda and “Ace” on August 21, 2015 that referred to “working” at 5 A.M. and “picking up at a house”, vice the side of the road.
12. Pleasant was provided his Miranda warnings by Border Patrol Agent Jacob Martinez, which he waived and agreed to provide a statement.
13. Post-Miranda, Pleasant stated he uses the nickname of “Ace” and knows his passenger as “Hector”.

14. Pleasant claimed he picked up his passenger after receiving a call from Hector stating that he and his girlfriend were fighting.
15. Pleasant stated upon arriving at an unknown residence to pick up Hector, he left the vehicle to use the bathroom and when he returned, the car was full of people.
16. Hector was going to pay an indeterminate amount of "gas money" for the transportation. Pleasant stated he was headed to Hector's house near Bentsen Road in McAllen when he was stopped by DPS.
17. Pleasant claimed he was unaware of the UDA's immigration status, but did know that Hector was involved in alien smuggling.
18. Material witness Jose Anibal Xon-Tecun claimed he and five (5) other UDA's were waiting on the side of the road when they waved down a car, who picked them up. Four (4) UDA's were directed to the back seat and two (2) UDA's were placed in the trunk. Xon-Tecun could not identify either the driver or the passenger from photo lineups.
19. Material witness Domingo David Ixmata-Tziquin claimed there were six (6) UDA's and a guide waiting on the side of the road when they stopped a vehicle asking for a ride. Ixmata-Tziquin could not identify either the driver or the passenger from photo lineups.